

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BOSTON DIVISION  
DOCKET NO. 05-11682

L & T YACHT SALES, INC.	)
PLAINTIFF,	)
	)
VS.	)
	)
POST MARINE CO., INC.	)
DEFENDANT	)
	)

**PLAINTIFF'S MOTION TO FILE PRE-TRIAL MEMORANDUM LATE**  
**NUNC PRO TUNC**

Now comes Plaintiff, L & T Yacht Sales, Inc., and respectfully moves that the Court allow it to file its Pre-Trial Memorandum Late. Said Memorandum was filed before the court opened for business on the next business day following the date that it was due to be filed. As grounds and in support thereof, the Plaintiff states that Attorney Zajac's administrative assistant was unexpectedly absent from work for one (1) week due to a family member's illness (hospitalization in intensive care) and was unable to assist in the preparation and filing of the same.

**WHEREFORE**, the Plaintiff respectfully requests that this Motion be allowed and that Plaintiff forthwith will file said Pre-Trial Memorandum.

Respectfully submitted,  
The Plaintiff,  
By its Attorneys,

/s/ John E. Zajac  
John E. Zajac, Esquire BBO # 560195  
CARMICHAEL & ZAJAC, P.C.  
170 High Street  
Taunton, MA 02780  
(508) 821-2552

**CERTIFICATE OF SERVICE**

I, John E. Zajac, Esquire this 22<sup>nd</sup> day of January, 2008 I have given notice of the within, Plaintiff's Motion to File Pre-Trial Memorandum Late by e-mail service, via the Court's CM/ECF system which sent notification of such filing to Howard M. Brown, Esquire, Bartlett Hackett Feinberg P.C., 155 Federal Street, 9th floor, Boston, MA 02110 and by facsimile and regular mail, postage pre-paid to Michel O. Weisz, Esquire at 200 South Biscayne Blvd, Suite 1000, Miami, FL 33131.

/s/ John E. Zajac  
John E. Zajac, Esquire